

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota
March 8, 9, 10, and 11, 2021

Parole Board meetings were held on March 8, 9, 10, and 11, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on March 10, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 1:02 pm with the following present and adjourning at 1:36 PM.

Myron Rau, Board Chair
Ken Albers, Vice Chair
Kirstin Aasen, Member
Gregg Gass, Member
Peter Lieberman, Member (via Zoom)
Ed Ligtenberg, Member (via Zoom)
Gordy Swanson, Member
Rev. Patricia White Horse – Carda
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary (via Zoom)
Stacy Cole, Corrections Analyst
Traci Fredrikson, Operations Supervisor
April Maeschen, Program Assistant (Zoom)
Val McGovern, Corrections Specialist (Zoom)
Jessica Beeck, Corrections Analyst Intern (Zoom)
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

REPRESENTATIONS: Catherine Schlimgen, Staff Attorney representative, was available for questions.

SPECIAL GUESTS: Katie Olson, Case Manager, Brenna Carlson, SOMP Program Manager, Jeff Neill, Case Manager, the previous in person. Travis Donelan, TCM via Zoom.

HEARING PANELS:

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS
WEDNESDAY, MARCH 10, 2021:

The following offender appeared before the full board for a Parole hearing. Board Member Albers made a motion to grant parole. Board Member White Horse – Carda seconded the motion. Board Members Gass, Ligtenberg, Aasen, Vice Chair Swanson, Board Chair Rau voting nay all other members voting aye the motion failed. Vice Chair Swanson made a motion to deny/continue to July 2021 Full Board Hearing with the mandate that the offender get no write ups – minor or major. Board Member Albers seconded the motion. All board members voted aye; the motion carried.

Cory Yellow Boy

Sioux Falls, South Dakota
March 8, 9, 10, and 11, 2021

Parole Board meetings were held on February 8, 9, 10, and 11, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on March 11, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 8:07 AM with the following present:

Myron Rau, Board Chair
Ken Albers, Vice Chair
Kirstin Aasen, Member
Gregg Gass, Member
Ed Ligtenberg, Member (via Zoom)
Gordy Swanson, Member
Rev. Patricia White Horse – Carda
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Analyst
April Maeschen, Program Assistant I
Val McGovern, Corrections Specialist
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

REPRESENTATIONS: Catherine Schlimgen, Staff Attorney representative, was available for questions.

MINUTES: Board Member Aasen made a motion to approve the minutes from the January 2021 meeting of the Board. Vice Chair Swanson seconded the motion. All members voting aye; the motion carried.

SPECIAL GUESTS: Tom Lais, Senior Case Manager, Dusti Werner Risk Reduction Manager, Ian Miller, Case Manager, Katie Olson, Case Manager, Jeff Neill, SOMP Case Manager, Travis Donelan, TCM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS
THURSDAY, MARCH 11, 2021:

The following offender appeared before the full board for a Parole hearing. Vice Chair Swanson made a motion to grant parole. Board Member White Horse – Carda seconded the motion. Board Members Aasen and Ligtenberg voting nay, all other board members voting aye, the motion carried.

Joseph Andrews

The following offender appeared before the full board for a Parole hearing. Board Member Gass made a motion to deny parole. Board Member Ligtenberg seconded the motion. Board Members Aasen and White Horse – Carda voted nay, all other board members voting aye, the motion carried.

Albert Trimble

The following offender appeared for a paper review by the full board for an early/final discharge. Board Member Albers made a motion to grant final discharge. Board Member Aasen seconded the motion. All board members voting aye, the motion carried.

Charles Tudor

DIRECTOR'S REPORT: Director Lewandowski was available and updated the board on the following: Parole Board Office: Monday/Tuesday of February board week were conducted over Zoom and Wednesday/Thursday in person, with the option to be present over Zoom due to each board member's comfort level. March board week will operate the same way, except full board cases are again being transferred to Sioux Falls for in-person hearings. Two DOC bills are moving through the legislature, including clarifying language related to recalculating sentences upon the imposition of suspended time and majority voting requirements for the parole board. The board participated in training with parole agent supervisors and Chad Rotert of SDP Special Investigations on February 11. Several board staff and board members received their second Pfizer COVID-19 vaccination. Board staff completed and passed the annual CJIS (NCIC Terminal Operator) Audit, which was due to DPS in early February. The audit spurred the need for an MOU between SDDOC and Central SD Communications, part of Pierre PD. This will be signed in March. The board/board staff renewed their APAI membership and Board Chair Rau is making plans to attend the 2021 conference in Texas in June. Supervisor Traci Fredrikson celebrated 15 years with the State. The office received 13 pardon applications in February and hearings are being scheduled three months out. The Governor granted 14 pardons in February and denied 2. Board staff were contacted by persons from The Innocence Project and Harvard regarding SD's clemency data and processes.

DIRECTOR OF FIELD SERVICES REPORT: Brad Lewandowski updated the board on the following as Kayla Stuckey was unavailable. Southeast Region Staff Update: Agents utilized in the SE have a caseload average of 73. Agents utilized in the SE have a regional workload total of 111.79% Current Staffing: 1 vacant position (SF – new FTE), 3 case managers in training (SF), 1 agent in training (SF), 1 support staff in training (SF), 1 case manager on administrative leave, 1 agent on extended leave. Mitchell JCA Grosdidier is assisting with the supervision of 19 indirect/minimum/medium cases for the Sioux Falls office. Caseloads were rearranged to give case managers 20-25 offenders identified as being a part of the target population with which case managers will focus. Case managers will have lower supervision levels on their caseload outside of the specified target population as well. The target populations include high needs females, mental health/CD needs, displacement offenders, offenders sanctioned to CTP, and offenders who have been incarcerated for longer periods of time. Northeast Region Staff Update: Agents utilized in the NE have an average caseload of 73. Agents utilized in the NE have a regional workload total of 106.58%. Current Staffing: 3 agents in training (2 Mitchell, 1 SWO), 2 vacant positions (2 Watertown-1 is a new FTE), 1 support staff in training (Brookings), 1 vacant secretary (Mitchell). Taylee Riggs accepted the Mitchell Secretary Position and will begin 3/1/2021. FTO Ashley Hofland submitted her resignation effective 3/12/2021. This will vacate an Aberdeen parole agent position as well as the Northeast FTO senior agent position. Agent Kollars supervises 7 cases under the Flandreau Santee Sioux Tribal Program. Juvenile Corrections Agent Thury assists with supervision of 29 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 16 cases in the

Mitchell office. Juvenile Corrections Agent Haley Duchsherer is assisting with the supervision of 12 cases. West Region Staff Update: Agents utilized in the West Region have an average caseload of 98. Agents utilized in the West Region have a regional workload total of 134.38%. Current Staffing: 4 agents in training, 1 support staff in training (Spearfish). John Cargill and Tanner Tadra started in the Rapid City office as Agents. Katie O'Bryan and Rikki Burgess started in the Rapid City Office as Case Managers. GP Carmichael submitted his retirement effective 3/10/2021. A conditional offer has been made from a candidate from the last posting. Juvenile Corrections Agent Leighty is assisting the Spearfish office in the supervision of 63 offenders.

LEGAL ISSUES: Catherine Schlimgen was available via Zoom and provided the following updates for the board:

- 1 pending federal habeas
- Uptick in admin appeal filings

Break 9:58 – 10:09

BOARD TRAINING: Leland Anderson, Correction Specialist training on *PreP* and Dr. Josh Kaufman presented *Community Sex Offender Treatment*.

RECUSALLS:

N/A

DECISIONS: Board Member Gass made a motion to ratify and affirm all decisions: Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Board Decisions for all parole violations, suspended sentence violations, non-compliance, discretionary parole, earned discharge, and rescission decisions made by the Board this month.

ADJOURNMENT: Board Member Albers made motion to adjourn the March 11, 2021 meeting of the Board. Board Member Aasen seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:27 Thursday, March 11, 2021. The next board meeting is scheduled for April 15, 2021 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Gordon Swanson, Vice Chair

Brad Lewandowski, Director

Submitted by:
Karena Cassidy
Senior Secretary